

STATE ELECTION COMMISSION, HARYANA

S.C.O. No. 16-17, SECTOR 20-D CHANDIGARH

The 11th August, 2008

No. SEC/3E-III/2008/8267.—Whereas, the de-notification orders issued in respect of Shri Om Parkash Bansal s/o Shri Mani Ram Bansal, Chairman, Panchayat Samiti, Bhuna, District Fatehabad *vide* State Election Commission's Notification No. SEC/E-III/2008/3702-05, dated 4th April, 2008 was stayed till further orders *vide* Commission's Notification No. 3E-III/2008/4933, dated 22nd May, 2008 as per orders passed by the Hon'ble Punjab and Haryana High Court on 16th May, 2008 in CWP No. 8267 of 2008 titled "Om Parkash Bansal Vs. State of Haryana and Others"

And, whereas, the Deputy Commissioner-cum-District Election Officer (Panchayat), Fatehabad has informed this Commission *vide* his memo No. 3358/PA/Panchayat, dated 29th July, 2008 that in the above referred CWP the Hon'ble Punjab and Haryana High Court had passed the following orders on 22nd July, 2008. The relevant part of the judgement is as under :—

"The six months embargo is waived and meeting shall be convened by the Panchayat Samiti, Bhuna on July 28, 2008 at its office at 11.00 A. M. The meeting shall be presided over by Deputy Commissioner, Fatehabad. No confidence motion shall be held and secret ballot shall be maintained."

July 22, 2008

Sd/- (K. S. Garewal)

Judge

Sd/- (Dnyā Chaudhary)

Judge.

In view of the orders of the Hon'ble Court the meeting was called for 28th July, 2008 at 11.00 A. M. in the office of Panchayat Samiti, Bhuna for the purpose of No confidence motion against Shri Om Parkash Bansal. In the said meeting out of 22 members, 16 were present and remaining were absent. All the 16 members have cast their votes through secret ballot in favour of no confidence motion against Shri Om Parkash Bansal, Chairman, Panchayat Samiti, Bhuna

And, whereas, now in compliance of the orders of the Hon'ble Court and request of DC-cum-DEO (P), Fatehabad, the State Election Commissioner, hereby de-notifies the name of Shri Om Parkash Bansal s/o Shri Mani Ram Bansal, from the seat of Chairman, Panchayat Samiti, Bhuna, District Fatehabad.

Chandigarh :

The 11th August, 2008

CHANDER SINGH,

State Election Commissioner, Haryana.

STATE ELECTION COMMISSION, HARYANA

S. C. O. NO. 16-17, SECTOR 20-D CHANDIGARH

The 13th August, 2008

No. SEC/2ME/2008/8272.—Whereas, a vacancy due to death of Sh. Narender Kumar, Member from Ward No. 16 of Municipal Council, Palwal on 16th June, 2008 has occurred.

2. And, whereas, a vacancy due to the resignation of Sh. Kuldeep Singh, Member from Ward No. 2 of Municipal Council, Assandh on 30th June, 2008 has occurred.

3. And, whereas, Sub-section (1) of Section 15 of the Haryana Municipal Act, 1973, provides that whenever a vacancy occurred by death, resignation or removal or by the vacation of seat of any member, the vacancy shall be filled within six months of the occurrence of such vacancy.

4. The State Election Commission, Haryana in exercise of the powers conferred on it under Clause (1) of article 243ZA of the Constitution of India read with Section 3A of the Haryana Municipal Act, 1973 and Rules 4 to 11 of the Haryana Municipal Election Rules, 1978, has decided to revise the electoral rolls of all the wards of the **Municipal Council, Palwal, District Palwal and Municipal Committee, Assandh, District Karnal** summarily w.r.t. 1st January, 2008 on the basis of Assembly Electoral Rolls finally published on 25th January, 2008 with reference to 1st January, 2008 as qualifying date as per following programme :—

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|---|--------------------------------|
| 1. Preparation of Draft Electoral Rolls of all the wards of the Municipal Council, Palwal and Municipal Committee, Assandh w.r.t. 1st January, 2008 on the basis of Assembly electoral rolls finally published on 25th January, 2008 with qualifying date as on 1st January, 2008. (Rule-4 of the Haryana Municipal Election Rules, 1978) | 20.08.2008 to 28.08.2008 |
| 2. Draft publication of Electoral Rolls of all the wards of the Municipal Council, Palwal and Municipal Committee, Assandh w.r.t. 1st January, 2008 as qualifying date for inviting claims and objections. (Rule-7 of the Rules <i>ibid</i>) | 29.08.2008 |
| 3. Last Date by which claims and objections shall be presented to the Revising Authority. (Rule-9 of the Rules <i>ibid</i>) | 08.09.2008 |
| 4. Last date by which the claims and objections shall be disposed of by the Revising Authority. (Rule-10(1)(i) & (ii) of the Rules <i>ibid</i>) | 12.09.2008 |
| 5. Last date for filing appeals with the Deputy Commissioner against the orders of Revising Authority. (Rule-10(2) of the Rules <i>ibid</i>) | 17.09.2008 |
| 6. Last date for disposal of appeals by the Deputy Commissioner. (Rule-10(3) of the Rules <i>ibid</i>) | 22.09.2008 |
| 7. Cyclostyling/Photocopy/typing of finally publishing of addenda to the existing electoral roll, meaning thereby addition or deletion of names in the form of supplementary addenda appending to the electoral rolls. (Rule-11 of the Rules <i>ibid</i>). | 29.09.2008 |

5. The State Election Commission further directs that all the names of the electors entered in the Assembly Electoral Rolls finally published on 25th January, 2008 and also in the existing Municipal Electoral Rolls finally published on 15th December, 2005 in the case of Municipal Council, Palwal and 18th November, 2004 in case of Municipal Committee, Assandh and Supplementary addenda made on 16th February, 2008 except the names of the persons who have died and also of those who have ceased to be ordinary resident or no longer ordinarily residing in the territorial area of the concerned wards of the Municipalities should be included/deleted in the ward wise draft of the Municipal rolls now to be prepared for publishing them to invite claims and objections.

6. The State Election Commission further directs to use Assembly Electoral Rolls to be obtained from the Election Department, Haryana. Requisite format prescribed for the Municipal Rolls, as "Annexure-I" attached herewith is required to be typed.

7. The State Election Commission further directs that :—

- (a) The Deputy Commissioner shall give widest possible publicity to the above programme indicating place and time of receiving & disposal of claims and objections by the Revising Authority and disposal of appeals by the Deputy Commissioner. He will issue press notes and advertisements in the two local newspapers.
- (b) One copy of the draft electoral rolls published for inviting claims/objections shall be made available to the Secretary of the Municipalities, one copy to the office of concerned Tehsildar, one copy to the office of concerned Sub-Divisional Officer (Civil). ~~one copy to the concerned Revising Authority~~ and one copy will be kept in the Deputy Commissioner's office, for making it available for inspection to the public free of cost.
- (c) The Deputy Commissioner shall publish the ~~ward-wise draft Municipal Electoral Rolls~~ together with a notice including the date 8th September, 2008 by ~~which the claims & objections~~ with reference to the draft Rolls, may be presented to the Revising Authority. The Deputy Commissioner shall appoint one Authorised Officer for three Wards and sufficient number of required supporting staff and other officials of Municipalities, to assist the Revising Authority for ~~providing copies of the Draft Municipal Electoral Rolls~~ for inspections to public and also to ~~receive claims & objections~~. After the draft publication of the ward-wise Municipal Electoral Rolls is made on 29th August, 2008, these draft ~~Municipal Electoral~~ Rolls should be made available to the public for consultation and inspection at ~~some prominent places, preferably at Government Municipal buildings and for this purpose Centres~~ having three Wards i.e. assigning three Wards to each centre and last centre consisting of remaining wards for Municipalities should be created under the charge of an Authorised Officer. At these centres, the ward-wise draft Electoral Rolls should be placed for supervision of the Authorised Officer assisted by supporting staff so that after inspection of these ward-wise draft Electoral Rolls, the aggrieved person(s) may file claims and objections before the Authorised Officers and proper receipts for these claims & objections filed before them, should also be issued to the concerned person(s) and these Officers should also inform them the date, time and place of disposal of their claims & objections by the Revising Authority.
- (d) The Revising Authority shall, after holding an enquiry into the claims or objections as he thinks fit, record his decision in writing and shall make available on demand a copy of such decision to the objector or claimant free of charge forthwith.
- (e) The Revising Authority after disposal of all the claims & objections in terms of under Sub-rule (1) of Rule 10 of the Haryana Municipal Elections Rules, 1978, shall forward a list of such claims and objections along with his orders thereon to the Deputy Commissioner, within the prescribed time. Any person aggrieved by any such order of the Revising Authority, may within five days apply to the

Deputy Commissioner for revision of the orders of the Revising Authority. The Deputy Commissioner shall within a period of five days confirm such order, or set it aside or pass such order with respect to such claim or objections as he may deem fit. The decision of the Deputy Commissioner on an appeal shall be final.

- (f) The Deputy Commissioner shall publish the final Electoral Rolls on 29th September, 2008 and the Electoral Rolls of the Municipal Council, Palwal, District Palwal and Municipal Committee, Assandh, District Karnal shall come into force from the date of publication.
- (g) After completion of every stage of the preparation process, the Deputy Commissioner shall invariably send a message to the State Election Commission and shall also keep the State Election Commission informed of the Statistical Data like the numbers of claims, objections and corrections received, accepted or rejected.

8. The State Election Commission further directs that a copy of ward-wise Municipal Electoral Rolls of Municipal Council, Palwal and Municipal Committee, Assandh shall finally be published on 29th September, 2008 and be submitted to the State Election Commission on the same day and one copy thereof shall be supplied to all the Political Parties in the State of Haryana under intimation to the State Election Commission.

Chandigarh :

The 12th August, 2008

HANDEE SINGH

State Election Commissioner, Haryana.